IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 32 of 2006

RAJASTAHN STATE AGRICULTURAL MARKETING B
V/S
M/S DEEP JYOTI CONSTRUCTION CCOMPANY

Mr. RG PUROHTI, for the appellant / petitioner

Date of Order : 12.10.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

It has come in the evidence of the appellant itself that the plaintiff had made demand to supply G-Schedule, and the learned Courts below have decreed the plaintiff's suit in view of the appellant having not supplied G-Schedule.

It was contended that the plaintiff never made any demand of G-Schedule, rather it was part of the tender papers, while as noticed above, it is clear that the plaintiff made demand of G-Schedule repeatedly even by registered letter, and it is not established that the appellant had supplied him the G-Schedule. In that view of the matter, I do not find any error in the findings of the learned Courts below.

The appeal thus, does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.